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TAGS: [PREL](#) [KWMN](#) [KPAO](#) [PHUM](#) [CH](#)
SUBJECT: CHINA: ACTION AGAINST GENDER-BASED VIOLENCE

REF: STATE 104830

Classified By: Acting Political Section Chief Ben Moeling. Reasons 1.4
(B) and (D).

Summary

1. (U) Experts and international organizations claim violence against women in China is a growing problem, and that society often considers it a private, family matter rather than a human rights issue. To address the problem, the Chinese Government is using a range of legal tools, as well as public awareness programs and social services to reach as many victims as possible. China's legal system does not provide for a national framework to combat domestic violence, nor is there a common definition of what constitutes domestic violence. Anti-domestic violence activists hope that draft legislation introduced in 2003 will address these deficiencies. China commemorated the International Day for the Elimination of Violence against Women on November 25 with a symposium in Beijing. Post also published an op-ed in China's foremost national newspaper focusing on women's issues to mark the occasion. End Summary

Gender Violence a Growing Problem

2. (U) Experts and international organizations such as the United Nations Development Fund for Women (UNIFEM) claim that violence against women in China is a growing problem, and that society often considers it a private, family matter rather than a human rights issue. Statistics released by the quasi-governmental All-China Women's Federation (ACWF) show that approximately 30 percent of Chinese families suffer from domestic violence, and that roughly 90 percent of the victims of such violence are women and children. The ACWF also reports that approximately 50,000 domestic violence complaints were received by the organization in 2007, a 70 percent increase from the year before.

3. (U) To address the issue, the Chinese Government has set up close to 12,000 shelters across the country for victims of domestic violence, and reports that several governmental agencies, including the ACWF and the Ministry of Public Security (MPS), are working to increase the number of organizations around the country that offer counseling, legal aid and other services for women in trouble. In 2005, MPS, ACWF and other agencies launched a nation-wide "peaceful family" campaign to raise awareness of the issue. Despite these and other efforts, the ACWF reports that approximately one quarter of the 400,000 divorces registered each year in China are the result of family violence.

Program for the Development of Chinese Women

4. (U) China passed its first Program for the Development of Chinese Women (PDCW) in 1995, following the Fourth World

Conference on Women, held in Beijing the same year. In 2001, a second PDCW was passed, covering the period 2001 to 2010, and addressing a range of issues, including women's role in the economy, women's education, women's rights, women's reproductive health and women's role in society. The PDCW specifically calls for women's "rights of the person" to be protected, and prohibits "all forms of violence against women."

Laws Too Narrow in Scope

15. (C) Experts acknowledge the need to do more. China's legal system does not provide for a national framework on domestic violence nor is there a common definition of what constitutes domestic violence. Chen Mingxia, a women's rights activist involved in combating violence against women in China for 18 years, claimed in a meeting with PolOff on November 21 that China's laws are too narrow in scope. For example, despite references made to domestic violence in China's Constitution, Marriage Law, Criminal Law and Law for the Protection of the Rights and Interests of Women, among others, violence against women in relationships other than marriage (dating relationships and divorced couples, for example), is not addressed. She added that the laws also only focus on physical harm inflicted upon women, and neglect other forms of abuse such as psychological or mental abuse.

Draft Legislation in 2003

16. (U) To address these deficiencies, Chen and other

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activists, together with several prominent women's and civil society organizations, researchers and experts developed draft legislation for the prevention of domestic violence and submitted it to the National People's Congress (NPC) in March 2003. Chen pointed out that the proposal is currently undergoing its second review by the legislative body, and is not expected to become law for several years.

17. (SBU) In the meantime, Chen points out that 25 of China's 33 provinces and Administrative Regions have adopted their own legislation to combat domestic violence. Yasuyo Yamaguchi, UNIFEM Programme Specialist, in a meeting with PolOff on December 3, added that it is too early to judge the effectiveness of these local laws. Nonetheless, efforts in Beijing to refine existing rules and regulations on curbing domestic violence continue, Yamaguchi pointed out.

New Inter-ministerial Guidelines

18. (U) In July 2008, seven ministries, including the MPS, Ministry of Civil Affairs, Ministry of Health, and ACWF, issued new guidelines on the prevention and elimination of domestic violence in China. Intended for all branches of the government at all levels, the guidelines lay out specific action to be taken to raise awareness of the issue, properly handle domestic violence cases, protect victims and provide legal assistance where needed.

New Recommendations for Judges

19. (U) In addition, the Supreme People's Court (SPC) issued recommendations in 2008 for judges ruling on family cases involving domestic violence. The recommendations are intended to consolidate many of the lessons learned at the provincial level and provide an additional resource for judges ruling on complex cases involving domestic violence, as well as for lawyers and their clients. The recommendations address a range of issues affecting domestic violence cases, including typical behavior patterns of the offender and victim, protection of victims during trial, testimony of

minor children and special considerations for evidence collection, as well as effective mediation techniques to be used in such cases. The recommendations emphasize protection of victims and gender equality at all stages of the legal process.

International Commemoration

¶10. (U) China commemorated the International Day for the Elimination of Violence Against Women on November 25 with an all-day event in Beijing sponsored by the United Nations Theme Group on Gender (UNTGG) with the Anti-Domestic Violence Network, a local Chinese non-governmental organization (NGO), and NetEase, one of the largest internet service providers in China. The event focused on "new actions" that the government, NGOs and even businesses in China are taking to eliminate violence against women, and included a panel discussion on the new government guidelines on preventing domestic violence, as well as the recently released judicial recommendations.

UN Joint Program Announced

¶11. (U) At the event, organizers announced a UN joint program on the elimination of violence against women in China. The first-of-its-kind UN program combines the efforts of United Nations Development Program (UNDP), United Nations Population Fund (UNFPA), United Nations Educational, Scientific and Cultural Organization (UNESCO) and UNIFEM, working with the Ministry of Health, Ministry of Civil Affairs, the Ministry of Justice, the Chinese Academy of Social Sciences (CASS) and the Anti-Domestic Violence Network. The focus is on ethnic minority groups and women and girls affected by domestic violence in Hunan, Gansu and Sichuan provinces. According to UNIFEM's Yamaguchi, the program's budget totals USD 860,000 over a three year period.

Internet-based Activism

¶12. (SBU) Of particular note during the event was the announcement by NetEase that more than 250,000 people in China had added their names to an online petition as part of the global UNIFEM-organized "Say NO to Violence Against Women" Campaign. Yamaguchi said that last year, the number of signatures collected in China by NetEase surpassed that of any other country. NetEase also announced 25 winners of its

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blog competition on domestic violence. NetEase received more than 8000 entries from bloggers around the country voicing their support for the elimination of violence against women.

"Peace Begins at Home"

¶13. To commemorate the 2008 International Day for the Elimination of Violence against Women, Post published an op-ed on December 3 in "China Women News," China's foremost publication on women's issues, with an estimated circulation of 500,000. Entitled "Peace Begins at Home," and signed by Minister Counselor for Public Affairs Don Q. Washington, the op-ed set the stage for the "16 Days of Activism Against Gender-based Violence," provided an overview of the issue around the world, catalogued progress made and identified work still to be done.

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